

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

CERVIN ET AL..

CASE NO.: CL2180 US NA

APPLICATION NO: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

TITLE: PROCESS FOR THE BIOLOGICAL PRODUCTION
OF 1,3-PROPANEDIOL WITH HIGH YIELDCOMMISSIONER FOR PATENT
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**DECLARATION OF BIOLOGICAL CULTURE DEPOSIT**

Sir:

I, Linda Axamethy Floyd, declare that:

I am an attorney of record for the owner of the above-identified application.

Cultures of the following biological materials have been deposited with the following international depository:

American Type Culture Collection (ATCC)
10801 University Boulevard, Manassas, VA, 20110-2209, U.S.A.

under conditions that satisfy the requirements of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. A copy of the receipt issued pursuant to Rules 7.3 and 10.2 (stating the term of the deposit) is attached.

Depositor Identification Reference	Designation	Int'l Depository Date of Deposit
Transformed <i>E. coli</i> DH5 α containing a portion of the Klebsiella genome encoding the glycerol dehydratase enzyme	ATCC 69789	18 April 1995
Transformed <i>E. coli</i> DH5 α containing cosmid pKP4 containing a portion of Klebsiella genome encoding a diol dehydratase enzyme	ATCC 69790	18 April 1995
<i>E. coli</i> MSP33.6	ATCC 98598	25 November 1997
<i>glpK</i> mutant <i>E. coli</i> RJF10m	ATCC 98597	25 November 1997
<i>Escherichia coli</i> : RJ8n	ATCC PTA4216	9 April 2002
<i>Escherichia coli</i> : FMP'::Km	ATCC PTA4732	28 September 2002

I further aver that all restrictions on the availability to the public of the culture will be irrevocably removed upon the granting of a U.S. patent on the above-identified application.

Respectfully submitted,


LINDA AXAMETHY FLOYD
ATTORNEY FOR APPLICANTS
US PTO REGISTRATION NO. 33,692
TELEPHONE: (302) 892-8112

Dated: Monday, October 6, 2003

Enclosure: Deposit Receipts



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

E.I. du Pont de Nemours & Company
Attn: S. Neil Feltham
Central Research & Development
Experimental Station, E301/319
P.O. Box 80301
Wilmington, DE 19880-0301

Deposited on Behalf of: E.I. du Pont de Nemours & Company (CR9692)

Identification Reference by Depositor: ATCC Designation

<i>E. coli</i> Bacteria, Dh5α, pKP1	69789
<i>E. coli</i> Bacteria, Dh5α, pKP4	69790

The deposits were accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposits were received April 18, 1995 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested April 20, 1995. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-816-4366

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE.

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

E. I. du Pont de Nemours & Company
Attn: S. Neil Feltham
Central Research & Development, Exp. Station E301/319
P.O. Box 80301
Wilmington, DE 19880-0301

Deposited on Behalf of: The DuPont Company

Identification Reference by Depositor:	ATCC Designation
<i>Escherichia coli</i> RJF10m	98597
<i>Escherichia coli</i> MSP33.6	98598

The deposits were accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposits were received November 25, 1997 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested December 2, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Shuler

Date: December 2, 1997

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

DuPont Experimental Station
Attn: Patricia C. Brzostowicz
E301/305
200 Powder Mill Road
PO Box 80301
Wilmington, DE 19880-0301

Deposited on Behalf of: E. I. DuPont de Nemours and Company

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli: RJ8n

PTA-4216

The deposit was accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposit was received April 9, 2002 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested April 12, 2002. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Date: April 17, 2002

Marie Harris, Patent Specialist, ATCC Patent Depository

cc: Lin A. Floyd
(Ref. Docket or Case No.: CL-1813)

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

INTERNATIONAL FORM

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2**

To: (Name and Address of Depositor or Attorney)

E.I. du Pont de Nemours and Company
Attn: Kelley C. Norton
200 Powder Mill Road
Experimental Station E301/318
Wilmington, DE 19880-0301

Deposited on Behalf of: E. I. du Pont de Nemours and Company

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli K12: FMP'::Km

PTA-4732

The deposit was accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposit was received September 28, 2002 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested October 8, 2002. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Date: November 6, 2002

Marie Harris, Patent Specialist, ATCC Patent Depository

cc: Lin Axamethy Floyd, DuPont Legal
(Ref: Docket or Case No.: CL-2180 US PRV)